

needed on the project or projects specified in said contract. The city shall make no claim for interest on any such advanced funds that may be invested by the state pending expenditure on the projects included in the contract.

Subd. 4. The council may by resolution levy a tax on all taxable property in the city to pay the principal of and interest on said bonds. Such tax shall not be subject to any charter or statutory limitation as to rate or amount and shall not cause the amounts of other taxes which are subject to any limitation to be reduced by any amount whatsoever. However, the city council shall deposit in the sinking fund for the bonds all moneys repaid to the city by the state pursuant to the agreement, and shall reduce the amount of any taxes levied each year by the amounts so repaid.

Subd. 5. The bonds may be authorized, issued and sold by the council without authorization by the electors of the city, and shall not be classified as debt for the purpose of any charter or statutory limitation of indebtedness.

Sec. 2. **When effective.** This act shall become effective upon its approval by a majority of the council of the city of West St. Paul, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 15, 1967.

CHAPTER 459—H. F. No. 2249

[Not Coded]

An act relating to the city of Saint Paul; authorizing the issuance of bonds to provide funds to construct, reconstruct, remodel and equip a civic center, exhibition hall, and auditorium and to acquire land therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **St. Paul, city of; civic center; bonds.** Notwithstanding any provision of the charter of the city of Saint Paul to the contrary and notwithstanding any contrary provision of law, for the purpose of providing funds to construct, reconstruct, remodel and equip a civic center consisting of but not being limited to the existing auditorium and theatre, the existing arena remodeled to a new exhibition hall, concourses, new arena, and associated parking ramps (hereinafter collectively referred to as the civic center) and to acquire land therefor, the council of the city of Saint Paul is au-

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thorized to provide by resolution for the issuance and sale of general obligation bonds of the city of Saint Paul in accordance with the provisions of Minnesota Statutes, Chapter 475, except as hereinafter stated, in an amount not to exceed \$3,000,000. Such bonds shall mature serially in annual or semi-annual installments. The first installment shall mature not later than three years from the date of the obligation, and the last installment shall mature not more than 40 years from such date. Such bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for the purpose of any charter or statutory debt limitation, and taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation of rate or amount.

Sec. 2. Notwithstanding any provision of the charter of the city of Saint Paul to the contrary and notwithstanding any contrary *provision of law, for the purpose of providing funds to construct, reconstruct, remodel and equip a civic center and to acquire land therefor, the council of the city of Saint Paul is authorized to provide by resolution for the issuance and sale of bonds of the city of Saint Paul in accordance with the provisions of Minnesota Statutes, Chapter 475, except as hereinafter stated, in an amount not to exceed \$10,000,000, in addition to the \$3,000,000 of bonds authorized by Section 1 of this act. In addition thereto, the council may accept donations from private persons, firms or corporations, or may enter into contracts with persons, firms or corporations whereby such persons, firms or corporations agree to pay to the city or reimburse the city for all or a part of any amounts expended by the city to pay the principal of or the interest on any such bonds. Such bonds shall mature serially in annual or semi-annual installments. The first installment shall mature not more than 3 years from the date of the obligation, and the last installment shall mature not more than 40 years from such date. Such bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for the purpose of any charter or statutory debt limitation, and taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation of rate or amount. Such bonds shall carry the pledge of the city's full faith and credit relative to their payment. The council shall, in the resolution authorizing the issuance and sale of such bonds, provide for repayment of such bonds by the pledge of gross revenues, or some part thereof, obtained from the operation of the civic center. The provisions of Minnesota Statutes, Sections 475.61, 475.62, 475.63 and 475.64 shall not apply to bonds issued pursuant to Section 2 hereof. The council shall levy in each year in the manner in which other taxes of the city are levied, a direct general ad valorem tax*

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upon all taxable property within the city sufficient to raise an amount which, together with revenues from the civic center and other moneys which will be available therefor, will be sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Sec. 3. Subdivision 1. The city shall have power to negotiate and to obtain, and shall obtain, from responsible persons, firms, and corporations, non-cumulative guarantees in an aggregate amount not to exceed \$150,000 annually for a period of ten years, commencing after one year of operation of the arena portion of the civic center, which shall bind each guarantor respectively to pay his pro rata share of the annual principal and interest payments necessary upon the bonds authorized by section 2 hereof to the extent revenues from the civic center are insufficient for such purpose. Provided, however, that guarantors' aggregate obligations under said noncumulative annual guarantees of \$150,000 (for any calendar year) shall be further limited to the amount by which income available for debt retirement from all parking and concessions associated with the civic center falls below \$500,000. "Income available for debt retirement," with respect to parking facilities, means gross receipts minus all operating, promotional or other expenses; and "income available for debt retirement" with respect to concessions means the earned income received by the city from the concessionaire or if operated by the city means gross receipts minus all operating, promotional, or other expenses; both of which shall be subject to the control of the civic center commission defined herein.

Guarantees shall run from the guarantor to the city of Saint Paul and shall, upon their acceptance by resolution of the city council, constitute legal and enforceable obligations of the respective guarantors in accordance with the terms thereof, notwithstanding any provision of law which might otherwise declare such guarantees to be ultra vires on the part of the guarantor or the city.

The failure of any such guarantee, or all of them, shall not affect the city's responsibility to pay the principal and interest upon the bonds, nor shall any purchaser of such bonds be required to inquire whether such guarantees have been obtained or given.

The guarantees required hereby shall be obtained prior to the issuance of any bond under section 1 or section 2 hereof.

Subd. 2. The design of the civic center, its final plans, all contracts for its construction and equipment, and all operating policies for the center and its facilities shall, prior to final approval by the council, be approved by a civic center commission consisting

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of the commissioner of libraries, auditorium and civic buildings and eight citizen members, of whom three shall be chosen by the mayor, with the consent of the council, from the general public, and five shall be chosen by the mayor, with the consent of the council, from a list of ten nominees submitted to the mayor by the guarantors as described in section 1 hereof. The three citizen members chosen by the mayor with the consent of the council shall be residents of the city of Saint Paul. Of the five members chosen from the list of nominees submitted by the guarantors, not less than three of such members shall be residents of the city of Saint Paul. The said eight citizen members shall serve from the time of their appointment until termination of the commission as provided in this section. Any vacancy occurring with respect to the position of any citizen member shall be filled by appointment in the same manner as such original appointment was made. No such plan, contract, or operation policy, shall be placed into effect unless the commission shall approve it by a majority vote of the members of the commission.

The commissioner shall be ex officio chairman of the commission, and the commission shall select a vice-chairman from among its members.

In the event of an alteration of the charter of the city of Saint Paul which abolishes the commission form of government, the place of the commissioner shall be taken by an additional citizen member appointed by the mayor with the consent of the council, and in such circumstance, the commission shall elect its own chairman.

The commission shall have power at any reasonable time to examine the books and records of the civic center, and may, for that purpose, engage accountants and such other consultants as it may deem fit, whose reasonable fees, not to exceed \$10,000 in any calendar year, shall be paid by the city from the revenues of the civic center notwithstanding any provision of law or charter to the contrary.

The commission shall terminate without further action of the council upon the expiration of the last of the guarantees accepted by the council pursuant to section 3 hereof.

Sec. 4. All parking ramps and other parking facilities owned by the city within or adjacent to the auditorium and civic center shall be operated by city forces and shall not be contracted out directly or indirectly to any private party.

Sec. 5. The asking and acceptance of bids or proposals for the operation of such food, drink, program, souvenir, and other concessions other than parking which the city may see fit to contract

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to private parties shall be conducted without limitation by reason of the place of residence or place of business (other than to the United States) of the parties making such bids or proposals. The city shall in all cases accept the responsible bid or proposal most advantageous to it and shall, at least one month prior to accepting bids or proposals for a concession, advertise in at least one trade journal of national circulation inviting the making of such bids or proposals to the city.

Sec. 6. The authority and power granted to the city of Saint Paul to issue bonds under and pursuant to the provisions of this act shall be in addition to the power or authority contained in any other law or statute.

Sec. 7. This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 16, 1967.

CHAPTER 460—H. F. No. 2319

[Not Coded]

An act relating to the city of Saint Paul; authorizing a capital improvements program.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **St. Paul, city of; capital improvements program.** Notwithstanding any provision of the charter of the city of Saint Paul, the council shall have power by a resolution adopted by five affirmative votes of all its members to authorize the issuance and sale of bonds payable from the proceeds of revenue producing projects, including, but not limited to, revenue bonds for the construction, extension, and improvement of the water supply system of said city. Any resolution authorizing such revenue bonds may contain such covenants and provisions to protect and safeguard the security of the holders of such bonds as shall be deemed necessary to assure the prompt payment of the principal thereof and interest thereon, including limitations and restrictions upon the safekeeping and application of the proceeds of such bonds, the issuance of additional bonds, the safekeeping and investment of the revenues of the project and other matters relating to the operation and main-

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